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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/346,789	07/02/1999	FREDERICK E. NIEMI	112025-0125	2883

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EXAMINER

BULLOCK JR, LEWIS ALEXANDER

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 06/13/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/346,789

Applicant(s)

NIEMI, FREDERICK E.

Examiner

Lewis A. Bullock, Jr.

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 July 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. New corrected drawings are required in this application because of Draftperson's Review. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 7, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Monitoring Distributed Systems" by JOYCE in view of BONNELL (US 5,655,081).

As to claim 1, JOYCE teaches a method for having a process manager (controller) and a network management station (console) for reporting to the network management station (console) the addition of new processes (monitored process), the method comprising the steps of: providing a configuration service layer (channel) in communicating relationship with a new process (monitored process) and the process manager (controller) (see fig. 5); in response to opening the new process (monitored

process enters a Jipc system or is created), issuing a registration service request (event / monitoring information) from the new process to the process manager (controller) through the configuration service layer (channel) (pg. 130, Consoles, "When a monitorable process enters a Jipc system, or is created, it is automatically included in any monitoring session active on its host machine...Monitoring information is collected automatically, and all consoles receive monitoring information in a predefined format from a single controller.."; pg. 129-130, "A system can contain only one controller, its purpose is to serve as a central site through which all events reported to the channels must pass before they are distributed to the consoles."; pg. 128, "A monitorable event occurs whenever a process initiates or completes any of the following operations: entering or leaving a Jipc system..."); establishing a method at the network management station (console) for persistently and continuously listening for messages from the process manager (controller) (pg. 130, Consoles, "When a console is started, the user supplies a list of machine names that are to be included in the monitoring session."); in response to receiving the registration service request (event / monitoring information) at the process manager (controller), generating and forwarding a notification message (relaying the monitoring information) that identifies the new process to network management station (console) (pg. 130, Consoles, "Monitoring information is collected automatically, and all consoles receive monitoring information in a predefined format from a single controller..."); and automatically displaying the notification message (monitoring information) at the network management station (console) (pg. 130, "Consoles for displaying individual Jipc events...have been built.");

pg. 139-140, An Event Line Console; pg. 140, "A process's event line is blank before it enters the Jipc system or is created and after it leaves the Jipc system or is killed."). It is inherent since the system is operable on multiple systems connected and communicating with one another (pg. 127 second paragraph) then the systems are connected by a network. However, JOYCE does not explicitly teach displaying the notification message without having to close and re-start the management station.

BONNELL teaches a system for monitoring and managing processes (applications) by continuously updating display representing all resources and applications present throughout the network as well as the state of each such resource or application (col. 7, lines 1-14). It is inherent that since the display is continuously updated and the applications are continuously monitored (col. 7, lines 22-31) that it is not close and re-started when an update is performed. Therefore, it would be obvious at the time of the invention to combine the teachings of JOYCE with the teachings of BONNELL in order to facilitate an enterprise management system that will increase automation and efficiency in network management and decrease the complexity of such management (col. 6, lines 20-47).

As to claim 2, JOYCE teaches creating a process manager window (display) at the network management station (console) that displays a list of processes (name of each process on the right hand side of the display) opened in the computer network (pg. 139, An Event Line Console, item 1); and in response to receiving the notification message (monitoring information), adding the new process (monitorable process) to the

list of processes displayed in the process manager window (display) (pg. 140, "A processes' event line is blank before it enters the Jipc system or is created..."; see fig. 12).

As to claim 7, reference is made to a computer readable medium that corresponds to the method of claim 1 and is therefore met by the rejection of claim 1 above.

As to claim 8, reference is made to a system that corresponds to the method of claim 1 and is therefore met by the rejection of claim 1 above. However, claim 8 further details a network communication facility wherein the configuration service layer generates and issues a registration request through the network communication facility.

BONNELL teaches a network communication facility (communications module of agent computer / communications module of manager software system) (col. 3, lines 10-15; col. 2, line 67 – col. 3, line 2; col. 9, lines 40-60) wherein the configuration service layer (agent software) generates and issues a registration request (information / state of resources and processes) through the network communication facility (col. 7, lines 1-12).

4. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over JOYCE in view of BONNELL as applied to claim 1 above, and further in view of "Red Hat Linux Unleashed" by HUSAIN.

As to claim 3, JOYCE teaches the collecting notification messages (event information), interpreting, and displaying of notification messages which includes a status (left side of display) of a new process (process enters the Jipc system) to a monitoring system (pg. 130, "Consoles are processes..."; pg. 139-140, An Event Line Console). However, JOYCE does not teach the start time and location are displayed.

HUSAIN teaches displaying a status (stat column), a start time (start time column) and a location (TTY) of the processes (pg. 3 and 4-6, ps command output / useful ps options). It is inherent based on the combination that since the status is sent from the process that other pertinent information of the processes, i.e. its starting time, are also sent. Therefore, it would be obvious to combine the teachings of JOYCE with the teachings of BONNELL and HUSAIN in order to display other pertinent information of currently executing processes.

As to claim 4, HUSAIN teaches the status includes one of up (running) (pg. 3, "The STAT column....").

5. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over JOYCE in view of BONNELL and HUSAIN as applied to claim 3 above, and further in view of "Unifying Distributed Processing and Open Hypermedia through a Heterogeneous Communication Model" by GOOSE et al.

As to claim 5, GOOSE teaches wherein a process has parameters (state) associated with a status function (launch function), comprising the steps of: in response

to selecting the process (select a particular process) from the process manager window (initial display), obtaining a respective status object (top-level interface) from the new process; and displaying the obtained status object (top-level interface) (pg. 10, To provide a consistent and central interface to the processes, the process manager of the HCM was extended to allow each process to be configured and manipulated through it. As the PH of each process executes, a launch message is received by the PM. The initial display on the PM is a list of processes in the system, which is updated dynamically. A user can select a particular process, which instructs the PH of the selected process to display its top-level interface.”). It is inherent that since JOYCE displays the new process along with already executing process that the combination allows for the display and manipulation of parameters of the new process as well by the console. It is also well known in the art at the time of the invention that buttons on a window or display are used to invoke methods or access data and therefore obvious that a button on the display when invoked would obtain and display the status object. Therefore, it would be obvious to combine the teachings of JOYCE with the teachings of BONNELL, HUSAIN and GOOSE in order to allow the user and other processes the ability to call forward the interfaces of both local and remote processes (pg. 10).

As to claim 6, GOOSE teaches the step of modifying (alter) the respective parameters (state) of the process automatically and dynamically in response to manipulations of the status object (top-level interface) displayed (pg. 10, “A user can select a particular process...From here, all data from the user interface is passed

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directly to the selected PH and the user can alter or interrogate the state of that process.”).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (703) 305-0439. The examiner can normally be reached on Monday-Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-0286.

Lewis A. Bullock Jr

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June 9, 2003